

Minnesota Agricultural Water Quality Certification Program

What is it? How did we get here? And how do we certify a farm?



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Minnesota Department of Agriculture

Mississippi River Forum

May 30th, 2014



Memorandum of Understanding

Signed by Governor Dayton,
Secretary Vilsack and
Administrator Lisa Jackson
on January 17, 2012.



What does the MOU say?

- * Support for a voluntary program
- * **Coordinate and prioritize funding**
- * Provide **recognition and certainty** to producers and the public
- * Establish a **MAWQCP Advisory Committee**



MAWQCP Advisory Committee

- * Recommendations developed by a diverse committee have been received by MDA Commissioner Frederickson



MAWQCP Advisory Committee

The committee submitted a series of recommendations presented in seven position papers:

Pilot projects

Program operations

Program measurement tool

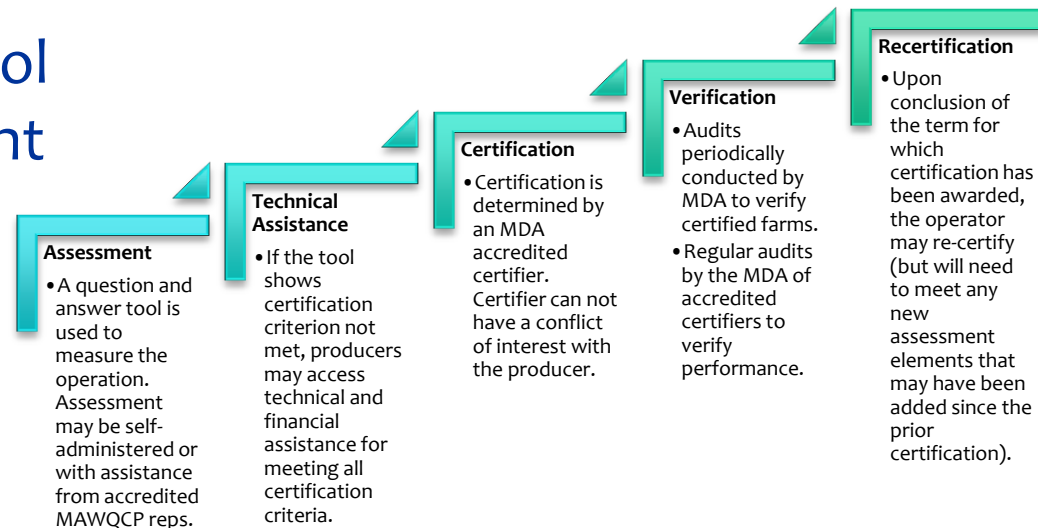
Program data management

Program certainty

Program incentives

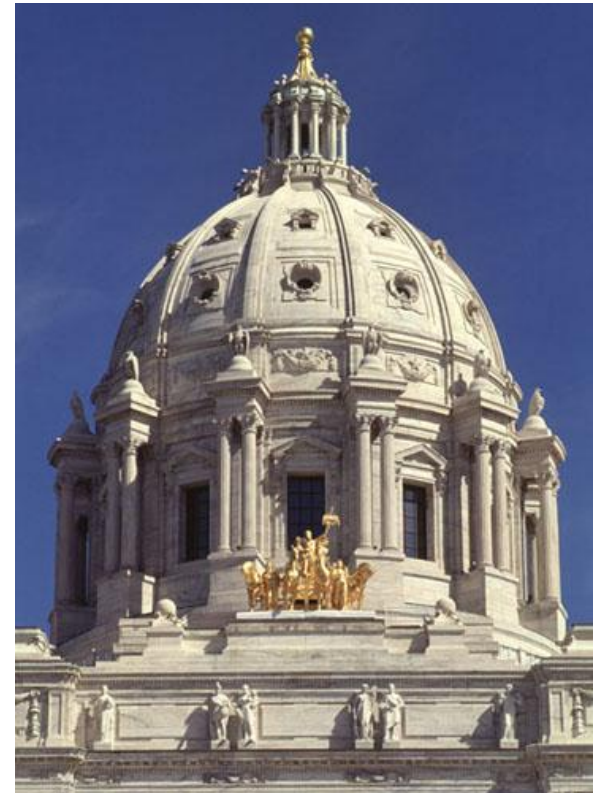
Program promotion

Program operations



Legislative Actions

- * Passed legislation placing the MAWQCP in statute
- * Provided \$3 million in Clean Water funding (biennium)
- * Statute adopts Advisory Committee's recommendations
 - * Pilot up to 3 years
 - * Review progress with advisory committee; inter-agency team
 - * Provides “certainty” via certification agreement contracts between state and producers



Executive Action

STATE OF MINNESOTA EXECUTIVE DEPARTMENT



**MARK DAYTON
GOVERNOR**

Executive Order 14-09

Directing Agency Cooperation on the Minnesota Agricultural Water Quality Certification Program

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the power vested in me by the Constitution and applicable statutes do hereby issue this Executive Order:

Whereas, Minnesota farmers provide food, feed, fuel, and fiber for the Nation and the World, and agriculture is a cornerstone of Minnesota's economy;

Whereas, Minnesotans value the health of our rivers, lakes, streams, wetlands, and groundwater;

Whereas, we must continue to protect the environment while supporting economic development in the State of Minnesota;

Whereas, we seek to recognize the environmental stewardship of farmers and ranchers who implement and maintain desired soil and water practices;

Whereas, on January 17, 2012, I signed a historic Memorandum of Understanding with Thomas J. Vilsack, Secretary, U.S. Department of Agriculture and Lisa Jackson, Administrator, U.S. Environmental Protection Agency, pledging to work together to support the development of Minnesota's Agricultural Water Quality Certification Program;

Whereas, in 2013, the Minnesota Legislature passed Minnesota Statutes, sections 17.9891- 17.993, authorizing Minnesota Department of Agriculture, in consultation with Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, and Minnesota Board of Water and Soil Resources, to implement a Minnesota Agricultural Water Quality Certification Program;

Whereas, this voluntary program will first be piloted in selected watersheds across the state, until the Commissioner of Minnesota Department of Agriculture, in consultation with the Minnesota Agricultural Water Quality Certification Program Advisory Committee, the Commissioner of the

Certification Number _____



STATE OF MINNESOTA AGRICULTURAL WATER QUALITY CERTIFICATION AGREEMENT

This agreement is between _____ ("Producer") and the Minnesota Department of Agriculture ("MDA"), which is authorized to sign on behalf of the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, and the Board of Water and Soil Resources pursuant to Minnesota Governor's Executive Order 14-09.

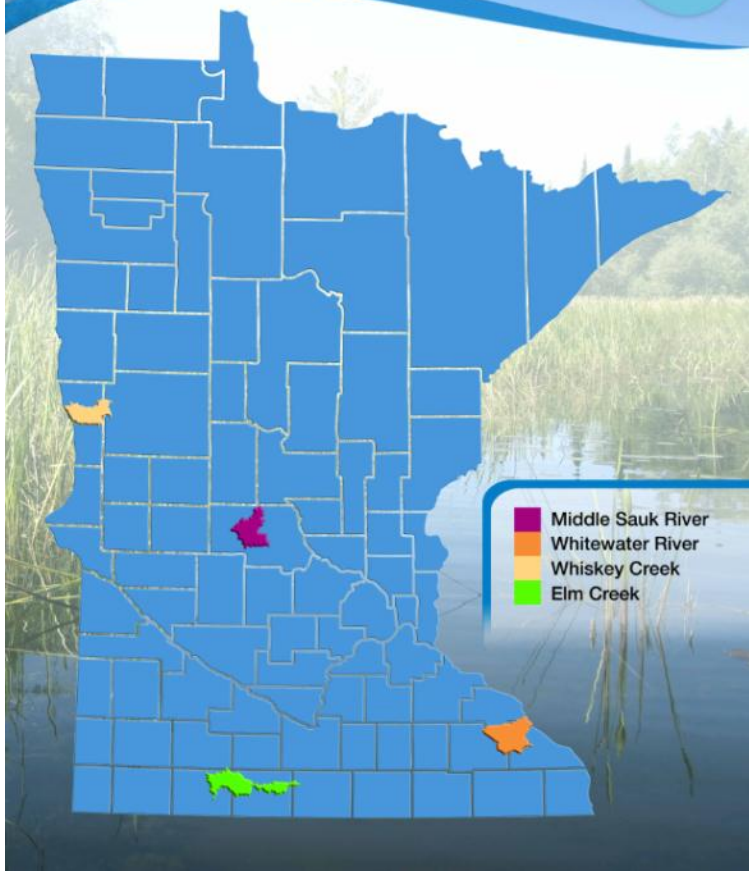
This contract is governed by Minnesota Statutes Sections 17.9891-17.993 which outline procedures for implementing the Minnesota Agricultural Water Quality Certification Program. All parties agree that the Minnesota Agricultural Water Quality Certification Program is in the public interest as it enhances the water quality of Minnesota's rivers, lakes, streams, wetlands and groundwater, as well as promotes and accelerates environmental stewardship by Minnesota's farmers.

A. TERMS OF AGREEMENT:

Agreement start date is _____ and expires on _____.

Pilot Projects

Minnesota Agricultural
Water Quality
Certification Program
Pilot Areas



■ Middle Sauk River
■ Whitewater River
■ Whiskey Creek
■ Elm Creek

- * Whitewater Watershed
- * Elm Creek Watershed
- * Sauk River Watershed
- * Whiskey Creek Watershed

Recognition

- * An opportunity for publicity if they so choose.
- * An opportunity to distinguish themselves as a good steward in the face of much negative press.
- * A really cool sign for the fence post.



Certainty

It sounds good but what
does it mean?



Photo by Rick McEwan

Certainty's Origins

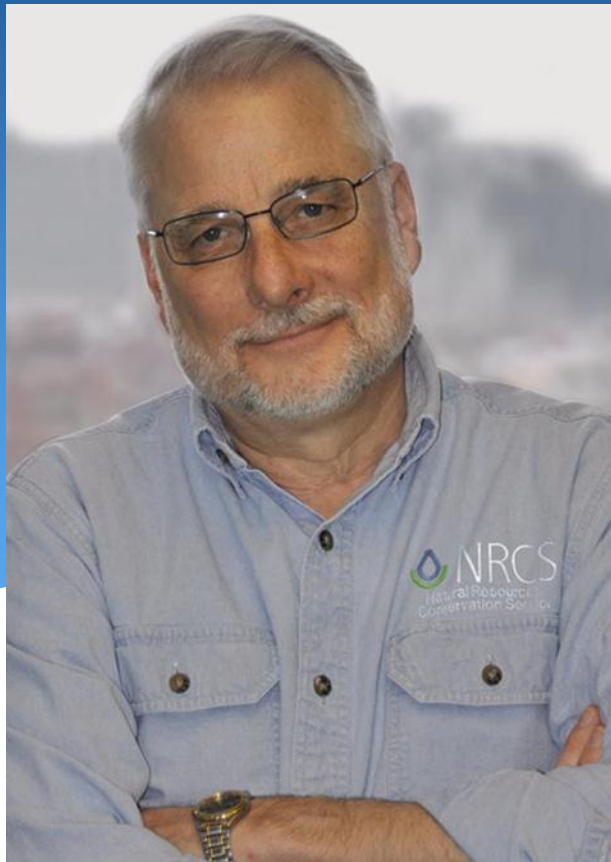


Photo NRCS



Certainty's Origins



Photos Conservation Media

- * An agreement between NRCS and USFWS provides regulatory “certainty” to ranchers that they are in compliance with the ESA if the sage grouse is listed by implementing sage grouse benefitting practices.

Certainty Led to Adoption of Conservation Practices for Sage Grouse

What Other Resource Concern Could be Addressed?

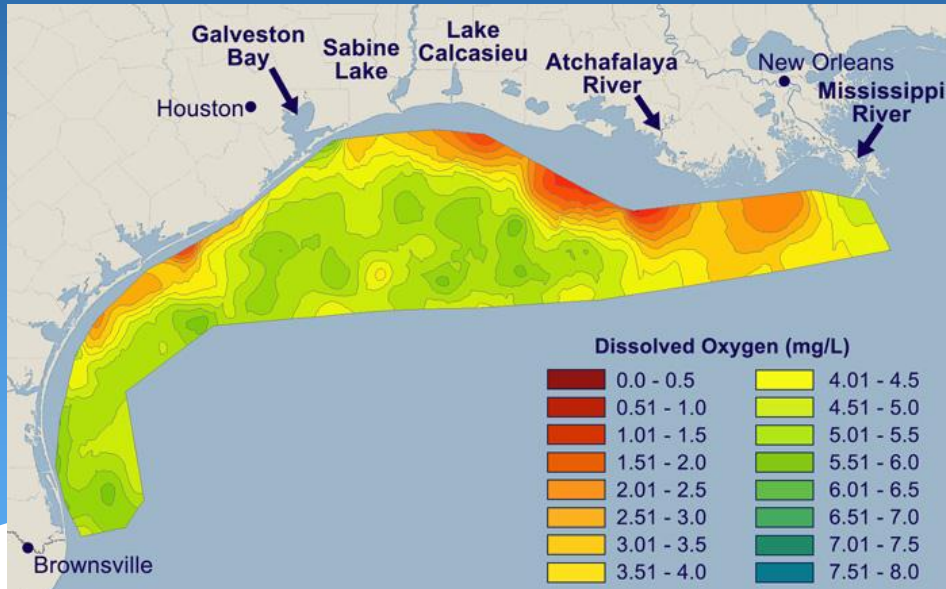


Photo EPA



Photo UMN Extension



And What Better Laboratory than Minnesota? Land of 10,000 Lakes & Headwaters of the Mississippi.



Photo Mark Evans

In practice, “Certainty” means...

- * Certified farms are deemed to be in compliance with any new water quality rules or laws for a period of ten years
- * Certified farmers are recognized as responsible protective stewards of their land and water quality
- * Provides public assurance that certified farmers are doing their part to avoid water quality impacts from their farming operations



To a Conservationist, “Certainty” means...

- * More conservation practices being installed that benefit water quality
- * More producers aligning their operations with BMP recommendations
- * A greater awareness amongst farmers of how ag operations can impact water quality
- * A furthering of communication between producers and conservation planners



In short, “Certainty” is...

- * Being Proactive rather than Reactive.
- * Voluntarily improve your operation now and get certified rather than waiting to see if regulations might be put in place and then act to comply.



Assessment Process: Middle Sauk Case study



Mr. Chuck Uphoff, New Munich, MN



Assessment Process: Middle Sauk Case study

Why are producers interested?

- * Recognition/communication/branding
- * Regulatory certainty
- * Financial and technical assistance through EQIP and State funds

Why is Chuck interested?

- * “Conservation and agriculture work together”
- * Read: leader in conservation and agriculture; quality of life; pocket book



Assessment Process: Middle Sauk Case study

How do we reach producers?

- * Local advisory committee establishes delivery
- * SWCD/NRCS and Crop Advisors
- * AM radio farm shows/mailings/open houses/press releases

How did we reach Chuck?

- * Long term relationship with NRCS/SWCD



Assessment Process: Middle Sauk Case study

Who certifies the producer?

- * SWCD staff
- * Crop Advisors
- * County environmental services staff, Joint Powers Board, NGOs

Who certifies Chuck?

- * Stearns SWCD and MDA staff



Assessment Process: Middle Sauk Case study

How much does it cost and how long did it take for Chuck?

- * Chuck: three meetings, two phone calls and ; 'bout an hour of gathering records; no monetary costs other than time
- * Certifier: three meetings with producer; multiple phone calls; 20 plus hours of data interpretation, analysis and entry, two field visits

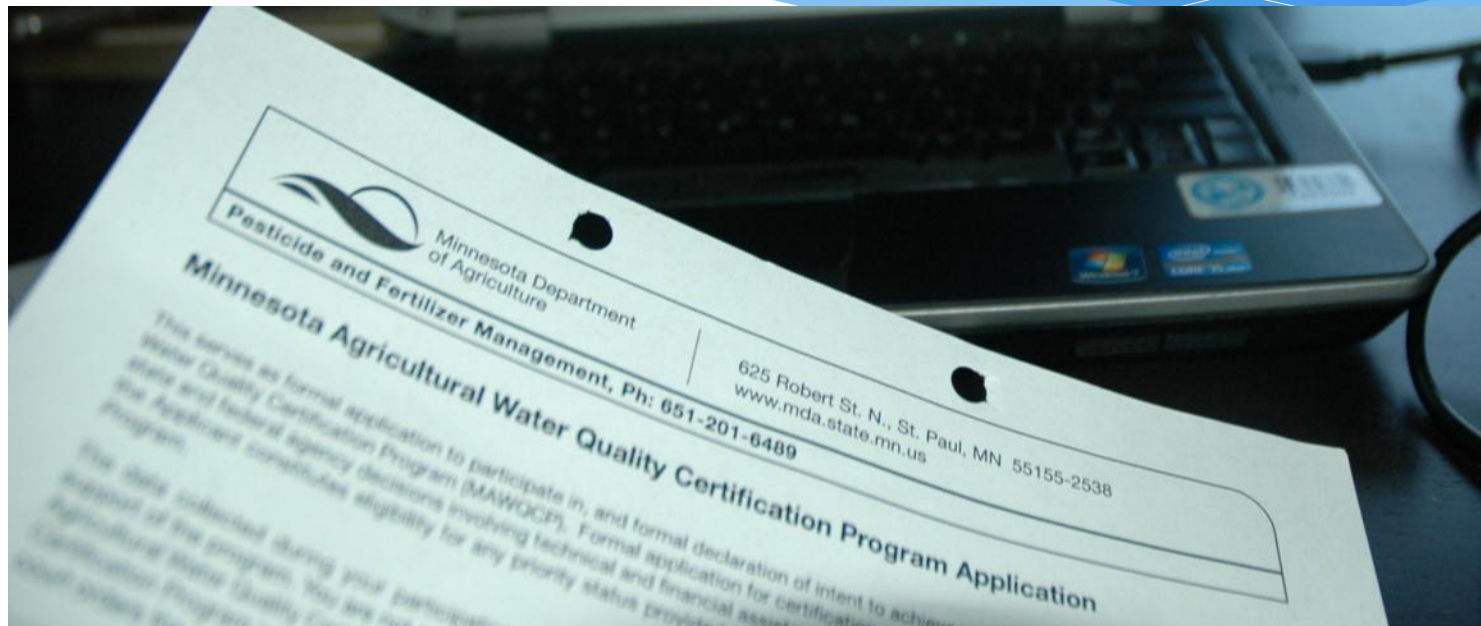


Assessment Process: Middle Sauk Case study



- * Initial meeting, review of expectations, Q & A
- * Usually a Tuesday afternoon in February around the kitchen table

Assessment Process: Middle Sauk Case study



- * Producer verifies they are in compliance with existing Minnesota water laws such as shoreland setbacks, manure and feedlots, pesticide disposal/application and septic systems
- * Questions? Connect with local official who can help

Assessment Process: Middle Sauk Case study



- * Completion of each field and major cropping scenario
- * Pull records from NRCS/FSA office, crop consultant, co-op, notes, invoices, and receipts to name a few sources.

Assessment Process: Middle Sauk Case study



Assessment Process: Middle Sauk Case study



5/9/14 rye cover crop on Chuck's farm



5/29/14 rye cover crop sprayed, emerging oats

- * Existing and new conservation practices are often required to be 'certification eligible'
- * Special NRCS EQIP Ag Certainty pool provides \$750,000 per pilot area for conservation that helps producers become certified.

Assessment Process: Middle Sauk Case study



- * Existing conservation practices are reviewed, setbacks and buffers paced, tile inlets examined, areas susceptible to gullies visited, tillage and crop rotation confirmed among other checks.

Assessment Process: Middle Sauk Case study



- * Contract is signed between State of MN and producer
- * Obligates MPCA, DNR, MDA, and BWSR
- * Ten year period

Assessment Process: Middle Sauk Case study



- * Producer data is protected by Minnesota Government Data Practices Act (section 13.01) unless they sign release. Chuck signed a release.

Assessment Process: Middle Sauk Case study



- * Producer must maintain practices they have committed to including conservation structures, BMPs for fertilizer application, voluntary buffers, and other practices committed to in certification
- * Any changes to operation- for example, purchasing new land or switching from alfalfa to corn- need to be certified and added to contract

Questions?



www.mda.state.mn.us/awqcp

